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SUBJECT: UNSC: MIDDLE EAST OPEN DEBATE -- HEAVY CRITICISM
OF ISRAEL'S "BLOCKADE" OF GAZA AND ITS PRACTICES IN EAST
JERUSALEM

REF: STATE 7686

1. (SBU) Summary: At the Security Council's January 27 Open Debate on the Middle East, Assistant Secretary-General Fernandez-Taranco noted the "worrying impasse" that persists in the region with the lack of progress on restarting negotiations and called for the Quartet to play a role. He voiced concern with Israeli plans for construction in Jerusalem and at the uptick in military operations in the West Bank. He also called for an end to the "blockade" of Gaza, noting the recent decline in imports into Gaza but that the UN had successfully secured the release of humanitarian aid confiscated by Hamas. The Palestinian Observer called for the international community to compel Israel to end the "blockade" of Gaza and to cease its actions in East Jerusalem to further entrench the de facto annexation of the city. He reaffirmed that peace negotiations cannot resume while Israeli settlement activities continue. The Israeli Perm Rep criticized the Secretariat's briefing as unbalanced and said Israel is ready for direct peace negotiations. She highlighted the threats posed to Israel and its civilian population by Hamas and Hizballah arms smuggling. The majority of Council members pressed for greater access to Gaza for humanitarian and reconstruction supplies. All member states mentioned Jerusalem, with most voicing concern at recent Israeli activities in East Jerusalem. All member states criticized settlement activities and expressed varying degrees of dismay at the failure to relaunch negotiations between the parties. New Council member Lebanon focused exclusively on Israel's transgressions, while the other four new members offered more balanced remarks. Twenty-five delegations spoke after Council members, including the EU Delegation (observer) and the Arab League Observer. The ten Arab speakers harshly criticized Israel on Gaza and East Jerusalem, as did Iran and three ALBA countries (Cuba, Venezuela, and Nicaragua). End Summary.

Secretariat Briefing

2. (SBU) On January 27, Assistant Secretary-General for Political Affairs Oscar Fernandez-Taranco briefed the Security Council regular monthly meeting on the Middle East, which this month took the form of an Open Debate. He noted that a "worrying impasse persists in efforts to bring about Israeli-Palestinian negotiations, amidst low confidence between the parties" but that intense diplomatic activity has continued, including Special Envoy Mitchell's recent visit to the region. He noted that "the Quartet can and must play its full role at this crucial juncture." He reiterated the Secretary-General's concern about the situation in East Jerusalem calling for an end to activities such as "settlement construction and expansion, house demolitions, closure of institutions, and the revocation of residency rights." He urged the Israeli government not to finalize approvals of plans for the expansion of settlements within the Israeli municipal boundaries of Jerusalem, including 692

housing units in three existing settlements announced in late December, a new project for 24 families on the Mount of Olives, and 50 new units in the Palestinian neighborhood of Shu'fat, both announced in early January. He noted that the partial temporary settlement restraint in the West Bank is "broadly being implemented" but said that construction activity has been reported in several settlements due to exemptions and in some cases construction continuing contrary to the policy. He called settlement activity throughout the territory occupied in 1967 "illegal" and "contrary to the Roadmap." He noted the substantial increase in Israeli military operations in the West Bank, including Israeli forces entering Nablus December 26, 2009, where they killed three Palestinians who allegedly killed an Israeli settler.

¶3. (SBU) On Gaza, Fernandez-Taranco repeated the call "for an end to the blockade of Gaza," noting a decline in the weekly average of imported truckloads of goods to only 534. He reporting that the UN had been successful in securing the release of humanitarian aid that had been confiscated by Hamas at the end of 2009 and underscored that the UN will continue to insist on non-interference with international aid operations. Noting an increase in the number of projectiles fired from Gaza, he called for all parties to refrain from violence and respect international humanitarian law. He said that there has been no satisfactory Israeli response to the UN's proposal to complete stalled projects for housing, schools, and health facilities. He referred to the Secretary-General's letter to the Security Council President, noting that Israel and the UN had agreed that the financial issues related the Gaza Board of Inquiry incidents had been

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brought to a satisfactory conclusion, and he called for Israel to allow into Gaza sufficient material for the rebuilding of damaged UN facilities.

¶4. (SBU) Turning to the region, he noted the progress made in Lebanese-Syrian relations with the Lebanese Prime Minister's first visit to Damascus. He referred to the December 26 explosion in a Hamas building in southern Beirut, the slow reconstruction of the Nahr el Bard refugee camp, and the discovery by UNIFIL of several men digging a hole where 250 kilograms of explosives were found in the vicinity of Sarda in southern Lebanon, as well as daily Israeli air violations. He concluded by noting deep concern at the current stalemate and emphasized that "if we cannot move forward decisively towards a final status agreement, we risk sliding backwards, with potentially profound and negative implications."

Palestinian Observer: Statements alone
will not stop Israel's settlement drive

¶5. (SBU) The Palestinian Permanent Observer began his 20-minute remarks by noting that the Palestinian Authority had declared January 27 a day of solidarity with Palestinian prisoners. He said that the population of Gaza remains traumatized from the "brutal crimes, including war crimes, perpetrated by the occupying Power" during the Israeli aggression against Gaza last winter. He claimed that the "blockade" of Gaza "is aimed at collectively punishing and debilitating the population, young and old." He said that the Palestinians will continue to persist in the pursuit of accountability and justice, "including in follow-up of the Goldstone Report, for the war crimes committed against our people." He called for the international community to compel Israel to immediately open Gaza's border crossings. Regarding Jerusalem, he said, "Israel is blatantly and arrogantly accelerating to artificially create an overwhelming Jewish majority there and to further entrench its de facto annexation of the City." He claimed that in 2008 alone Israel revoked the residency rights of nearly 5,000 Palestinians. He said that Israeli actions are

undermining the "viability, credibility and support of the peace process." He said that the cessation of settlements is not a "so-called pre-condition fabricated by the Palestinian side" but a reflection of international consensus. He reaffirmed that "the Palestinian leadership maintains that peace negotiations cannot resume while Israeli settlement activities continue" and called for negotiations to resume from the point at which they broke off. He praised international efforts to revive the peace process including the December 2009 EU Council Conclusions and Special Envoy Mitchell's efforts. He said that while welcoming and recognizing "the importance of statements from around the international community denouncing Israeli settlement activities and other illegal measures, ongoing developments provide ample proof that statements alone will not stop Israel's settlement drive."

Israeli Permanent Representative: UNSC
Debate not a substitute for negotiations

16. (SBU) The Israeli Perm Rep opened her remarks by expressing condolences to the people and government of Haiti. She criticized Fernandez-Taranco's briefing as "partial and unfortunately unbalanced." (Comment: We agree that the Secretariat briefing was less balanced than usual and really only called for action by Israel. End comment.) Calling into question the value of frequent Security Council meetings on the Middle East, she noted, "History shows that nothing substitutes for negotiations between the parties" and reiterated that "Israel is prepared to immediately commence direct peace negotiations." She called for the international community to confront the "real challenges to peace and security: the threat of extremism, the danger of nuclear proliferation, and the plague of weapons smuggling and terrorism." In light of the ongoing smuggling of weapons and mortars and rockets fired from Gaza towards Israel and the silence when Israeli civilians are under terrorist attack she said, "the firing of any weapons from Gaza at Israeli territory will be met with a strong and immediate response." She said that the December 26, 2009 discovery in southern Lebanon of explosives, as well as incidents in Tayr Filsay and Khirbat Silim in 2009, highlights that Hizballah remains active in southern Lebanon. She said that "weapons smuggling --- reflects a menacing pattern by two particular Member States that use terrorist proxies to sow violence" and called for continuing attention to the supplying of arms across the

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Syrian-Lebanese border.

Council members

17. (SBU) PRESS FOR GAZA ACCESS: The majority of remarks from Security Council members expressed support for greater access to Gaza for humanitarian and reconstruction supplies. Brazil, France, Gabon, Japan, Lebanon, Mexico, Russia, Turkey, and Uganda called for an end to the "blockade" of Gaza, while Austria chose to use the term "de facto blockade." Most called for the implementation of resolution 1860. Bosnia and Nigeria called for the opening of Gaza's crossings consistent with the Agreement on Movement and Access. Mexico noted the need for an international monitoring mechanism for the Gaza crossings. European Council members called for "unconditional" access for humanitarian supplies. The Austrian PermRep noted that the Israeli financial transfer of 10.5 million dollars for incidents investigated by the Gaza Board of Inquiry will not repair the damage in Gaza unless there is unhindered access for construction materials. In a forceful call for the easing of restrictions on Gaza access, the UK Perm Rep noted that a failure to do so increased the volume of tunnel smuggling, making detecting the smuggling of weapons all the more difficult, and increasing the power of radical groups in Gaza. France, the UK, and the United States called for the

release of Gilad Shalit. (Note: Ambassador Wolff gave remarks drawn from reftel. End note.)

18. (SBU) JERUSALEM/SETTLEMENTS: All member states mentioned Jerusalem with most voicing concern at recent activities in Jerusalem including home demolitions, expansion of Israeli settlements in Palestinian neighborhoods, and revocations of residency rights for Palestinians. The Turkish Perm Rep pressed for a solution since Jerusalem "reflects our common heritage." Both the UK and Turkish Perm Reps called for the status of Jerusalem to be settled so that Jerusalem can become the future capital of two states. The Lebanese Perm Rep spent an undue amount of time focusing on religious issues. (Comment: Almost as if he was trying to be provocative. End Comment.) He discussed Israeli restrictions on Christian access to holy sites during Christmas and alleged that Israel is threatening holy sites in Jerusalem and the access of the faithful to those sites. He termed this a "brazen challenge to international law." All member states criticized settlement activities, and Austria, France, Japan, Mexico, Nigeria, and Uganda took note of the Israeli settlement moratorium, which the Japanese PermRep called "a step in the right direction." The French PermRep said that settlements make the peace process more difficult and do not improve Israeli security. Brazil, Japan, Mexico, Russia, and the UK noted the need to refrain from steps that could prejudice the outcome of negotiations.

19. (SBU) GOLDSTONE: France noted that international humanitarian and human rights law must be respected both in Gaza and in southern Israel and expressed support for independent inquiries in line with international standards. The Brazilian PermRep said that accountability, through credible investigations in line with international practices, is needed in follow-up to the Goldstone Report. Mexico noted that it is waiting for the Secretary General's report on Goldstone and called for all parties to respect international humanitarian law. Austria and Nigeria echoed support for investigations.

110. (SBU) PEACE PROCESS: Council members expressed varying degrees of dismay with the failure to relaunch negotiations between the parties. The Austrian PermRep expressed grave concern that the talks are "deadlocked" and that there is only a "fragile calm" in the region. The Brazilian Perm Rep said that the paralysis of the peace process risks a deterioration of the situation in the region. Gabon lamented that negotiations are again at a state of impasse "because of the intransigence of the parties." The Mexican PermRep said that responsibility for the peace process belongs to the Israelis and Palestinians, but that the international community can "facilitate." Nigeria, Mexico and the UK expressed support for Special Envoy Mitchell. The Japanese PermRep said that although there has been little progress the international community must not become discouraged from efforts to revive the peace process. France, Japan, and the UK noted the positive role that Arab engagement could play. Gabon, Japan, Mexico, Russia, and Uganda noted the importance of Palestinian reconciliation. The Russian PermRep noted that Russia continues its contacts with Hamas in order to seek to convince Hamas leaders to "transcend any

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consideration not conducive to achieving the legitimate aspirations of the Palestinian people."

111. (SBU) CONFERENCES: The Russian PermRep announced a proposal for a Quartet meeting at the Ministerial-level in February in Moscow to discuss possible opportunities to overcome the "crisis in the Israeli-Palestinian dialogue." He expressed regret that it was not yet possible to announce the dates for the Moscow conference outlined in UNSC 1860, given the "continuing pause in negotiations." The French PermRep noted that President Sarkozy is interested in convening a summit for peace. Brazil voiced support for an

international conference on the Middle East.

¶12. (SBU) REGIONAL ISSUES: Russia noted the importance of the Syrian and Lebanon tracks for a comprehensive regional peace. Bosnia expressed support for efforts to revive Israeli-Syrian talks. The French PermRep, as usual, began his remarks with Lebanon, noting the importance of Prime Minister Hariri's recent visit to Syria and calling for full Syrian-Lebanese border demarcation. He also noted that an Israeli withdraw from Ghajar would contribute to the easing of tension in the area. Austria noted the late December 2009 discovery of explosives in southern Lebanon and called for keeping the area free from weapons. The Lebanese PermRep said that his country struggles to implement resolution 1701; Israel violates its sovereignty and resolution 1701 on a daily basis, continues to occupy Ghajar and the Sheb'a Farms, and refuses to provide Lebanon with maps of mines it placed in southern Lebanon. Lebanon also noted that Israel has failed to withdraw from the Golan Heights.

¶13. (SBU) TONE OF NEW COUNCIL MEMBERS: The Lebanese Perm Rep, as the Arab representative on the Council, focused his remarks exclusively on Israel's transgressions, saying that Israel has turned Gaza "into one big prison;" has destroyed Palestinian homes; revoked Palestinian residence permits; and increased construction in the settlements of Gilo and Har Homa, thereby threatening prospects for the peace process. As mentioned previously in para eight, he made unhelpful and provocative references to religious issues. The Brazilian PermRep called Israeli efforts to create a fait accompli on the ground "unhelpful." She noted that President Lula will travel to the region to meet Israeli, Palestinian, and Jordanian leaders in March. The Bosnian representative condemned all violations of international humanitarian law and emphasized that both the Israeli and Palestinian civilian populations must be protected. The Gabon Perm Rep called for lifting the blockade of Gaza but also noted the need to address the legitimate concerns of Israel, including arms smuggling and ending the firing of rockets from Gaza. The Nigerian Perm Rep cited the lack of political will to resume negotiations but said that the Israeli settlement restraint creates "a window of opportunity that must be seized."

European Union Observer & Norway

¶14. (SBU) This was the first Open Debate since the implementation of the Lisbon Treaty, so the European Union delegation requested a speaking slot as a Quartet member. The acting head of the EU delegation, which has observer status at the UN, stressed that the resumption of negotiations is of utmost urgency. He said the EU would not recognize any changes to the pre-1967 borders, including with regard to Jerusalem, other than those agreed to by the parties. He voiced support for the ongoing efforts of the United States, which are closely coordinated with the Quartet, and those of the Quartet Special Envoy Tony Blair, on building Palestinian institutional capacity. He called for comprehensive regional peace and for all regional actors to undertake confidence-building measures, saying an important Arab contribution would be to build on the Arab Peace Initiative. The Norwegian Perm Rep noted how similar the Assistant Secretary-General's briefing was to his November briefing with the situation remaining at a "deep and worrying impasse." He said that efforts must still be made to drive the process forward towards a two-state solution. He underscored that steps in the right direction in some areas "must not be reversed by detrimental actions in others, including East Jerusalem." On Gaza, he called for the "unacceptable and counterproductive strangle-hold on the civilian population" to end. As Chair of the Ad Hoc Liaison Committee, he said Norway continues to stress the need for a political horizon in order to justify high levels of donor support to the Palestinian state-building project.

Arab countries: Attack Israel
on Gaza and East Jerusalem

¶15. (SBU) GAZA: Ten Arab countries plus the Arab League Observer spoke, with Oman speaking for the Arab Group; Egypt speaking for the Non-Aligned Movement (NAM); and Syria for the Organization of the Islamic Conference (OIC). All ten gave long (significantly over the allotted five minutes) statements highly critical of Israeli actions continuing the "blockade" and "siege" on Gaza and "collective punishment" of the Palestinian people. They called for the Security Council to assume its responsibility and ensure that Israel implements resolution 1860 and opens the crossings. The Emirati representative called on Israel to stop the policy of starving Palestinians and called on the international community to double its assistance to the Palestinians. Egypt called for importation of construction materials into Gaza and suggested that Israel needs to compensate the Palestinian people for the damage and trauma they have suffered during the Gaza conflict. The Arab League Observer referred to Israel's flagrant violations of international humanitarian law and the Fourth Geneva Convention. No Arab statement mentioned Hamas or rockets attacks from Gaza.

¶16. (SBU) JERUSALEM: Most Arab speakers also cited, at length, Israel's "illegal measures" in East Jerusalem, including home demolitions, evictions, and residency revocations, which many described as an attempt to "Judaize" East Jerusalem. The Algerian Perm Rep called Israeli efforts an attempt to arrange a "fait accompli." The Saudi and Emirati representatives both referred to the ethnic cleansing of the city. The Moroccan Perm Rep decried the targeting of Islamic holy sites in Jerusalem through "suspect" archeological digs, the construction of a network of tunnels, and attacks on holy shrines. The Jordanian Perm Rep said that Jordan will make every effort to protect the identity of Jerusalem. The Syrian Perm Rep said a redline would be crossed if there was any action against the Haram al-Sharif. The Qatari representative referred to continued Israeli human rights violations against the Arab populations "within the so called Green Line."

¶17. (SBU) GOLDSTONE/BOI: The Syrian Perm Rep said that the GA resolution on Goldstone was an "important first step" but called for more actions by relevant organizations, including the Security Council, to put an end to Israel's impunity. The Qatari representative called on the Security Council to act on the Goldstone report even though the Human Rights Council was still considering it. He also noted that the Security Council has not taken any action "in reply to the Board on Inquiry's recommendations." The Saudi representative complained about the complete absence of the Security Council with respect to the policy of "state terrorism practiced by Israel."

¶18. (SBU) PEACE PROCESS: Oman called for a timetable to complete negotiations. Many, including Oman and Egypt, attributed Israel's failure to institute a total settlements freeze as the reason why peace negotiations have not resumed. Morocco and Jordan did note the efforts of the Obama administration and Senator Mitchell and hoped they would have the desired effect to restart negotiations. For there to be progress, the Algerian Perm Rep called for (1) Israel to give an unequivocal commitment to the two-state solution and cease illegal activities; (2) Israel to respect the terms of UN resolutions that are the agreed framework for the way forward; and (3) the international community to find a clearer role for the Quartet. The Jordanian Perm Rep called for the resumption of negotiations as soon as possible on the basis of where the last negotiations ended. He stressed that the fate of the Palestinian people is at the heart of all conflicts in the region. The Qatari representative reaffirmed the Arab Peace Initiative but noted that it is dependent on Israel not taking extreme positions. He also emphasized the need to "involve all segments of the Palestinian people for the success of peace efforts." The

Egyptian Perm Rep called for speedy Palestinian reconciliation.

¶19. (SBU) LEBANON/GOLAN: Many of the Arab delegations also voiced deep concern by Israel's continued violation of Lebanese air, sea, and land and its continued occupation of Ghajar, Sheb'a, and Kfar Shouba. Oman, Qatar, and Syria also spoke out against Israeli efforts to change the demographic status of the Golan and called for Israel's withdrawal. They also called on the Security Council to condemn Israel's continuing violations of resolution 1701 but did not refer to the other violations of the weapons-free zone south of the Litani river.

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Iran

¶20. (SBU) The Iranian Perm Rep, sitting next to the Israeli Deputy Perm Rep, decried Israel's "barbaric attack" on Gaza last year when he said Israel "willfully and systematically targeted women and children" and even the UN was not spared. He said these actions amounted to war crimes and crimes against humanity and called for an end to the culture of impunity by Israel for war crimes, at which point the Israeli Deputy Perm Rep exited the Chamber and did not return. (Note: Iran was the third to last speaker. End note.) He said that certain Council members are accustomed to giving long speeches on human rights but their true stance was revealed during the vote on General Assembly resolution 64/10. He also referred to Israel's persistence with its "aggressive and expansionist policies" toward Lebanon and its daily violations of land, sea, and airspace and refusal to withdraw from Sheb'a, Kfar Shouba, the northern Ghajar, and the occupied Syrian Golan. He termed the Israeli occupation of Palestinian territory as the most gross violation and called for lasting peace.

Mostly harsh Latin American comments

¶21. (SBU) The representatives of Cuba, Venezuela, and Nicaragua all gave statements harshly critical of Israel, which attempted to surpass in tone those of the Arab states. The Cuban representative referred to the "constant siege of Gaza" and the "illegal blockade." He said that Israel only is able to act with impunity because of the support given to it by "the superpower." The Nicaraguan Perm Rep blamed the Council's inability to have Israel comply with its resolutions on Israel's "main ally." She said it is time for the permanent members to force Israel to make a commitment and if Israel does not, then the Council should "take steps" according to the Charter. The Venezuelan representative said that Israel's policy of "genocide" was apparent in Jerusalem where it had revoked the residency rights of Palestinians. The Argentine Perm Rep offered the only balanced statement from a Latin American non-Council member in which he called on both sides to fulfill their obligations and for a relaunch of the peace process with the support of the international community and active intermediation of the United States. He explained that Argentina had voted for the Goldstone resolution in the General Assembly because it had to support a request to investigate war crimes accusations on both sides.

OIC/NAM Asian members join in

¶22. (SBU) The Indonesian representative also gave a harshly worded statement, citing Israel's policies of collective punishment. He said that the Council has an abundance of patience on this issue while on other issues it acts impatiently. He urged greater Council impatience on this issue. He termed the humanitarian situation in Gaza a "man-made situation" and called for an end to the "mayhem." He also called settlements a "blatant violation of

international law" and called for Israel to stop construction and seek a comprehensive solution. The Malaysian representative also spoke out against Israeli actions and called for the Council to focus on restoring the inalienable rights of Palestinians. The Vietnamese Perm Rep also called on Israel to cease its "unilateral and provocative construction" of settlements, but he also noted the worrying resurgence of sporadic rocket attacks on Israel and the need for intra-Palestinian unity. The Pakistani representative highlighted the Middle East as the "sacred birthplace of great religions" and calling continued conflict there a "collective failure." He said there is no option but a return to the negotiating table and emphasized the need for greater political will to bring the parties together, stressing the Security Council's "significant and crucial role." The Sri Lankan representative urged both sides to move to a climate conducive to the resumption of negotiations and voiced hope for a peaceful settlement.

South Africa -- only
sub-Saharan African voice

¶23. (SBU) South Africa was the only non-Arab African state to speak. The South African Deputy Perm Rep said there could be no military solution to the conflict and called for the parties to create a situation conducive to a return to negotiations. He also called for the implementation of the Goldstone commission's recommendations and called on the

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Security Council to assist the Palestinian people in their "long-held aspirations for self-determination and freedom."

Comment

¶24. (SBU) This was the first Middle East Open Debate since the implementation of the Lisbon Treaty, so the EU delegation spoke on behalf of its members. With no other EU member state speaking, the lack of balance on the speakers list was noticeable and colored the tone of the meeting. End comment.

¶25. (U) A full transcript of the Open Debate can be found at www.un.org/Depts/dhl/resguide/scact2010.htm.
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